

**CITY OF FITCHBURG
CONSERVATION COMMISSION**

DRAFT MEETING MINUTES

THURSDAY, JANUARY 29, 2008

COMMISSIONERS IN ATTENDANCE: Tom Starr, Chairman (7:10 p.m.), Mike Donnelly, John Koutonen, Harry Karis, Kevin Sanders (associate member)

STAFF IN ATTENDANCE: Tim Smith, Mike O'Hara

CALL TO ORDER: Meeting called to order at 6:20 p.m. in the Veteran's Room, First Floor, City Hall.

MISCELLANEOUS

Local Wetlands Protection Ordinance

Local Wetlands Ordinance not yet through third reading nor signed.

Mayor Wong present to discuss the wetlands ordinance & draft regulations.

She's concerned with: no exemptions for parcels in the Riverfront Area; sole power of ConCom to change regs.

She suggested once regulations passed, any changes need City Council approval, in order to avoid later extreme "no build" areas. The Local Ordinance and R&R is a blunt instrument

Kevin: almost all the Conservation Commissions w/ local by-laws have the sole power to adopt & change regulations.

Intent was only for "Historic Mill Complexes" to not be exempted under the local by-law.

What about a River Overlay District?

Mayor: Wants standards for development in Riverfront area and checks & balances.

Mike D: wants the local Ordinance to be adopted, and then the ConCom decides on Rules & Regulations, with outside input.

John K. - part of the purpose of Ordinance was to get something in place so Commission doesn't get overruled by DEP, as in the past.

Mike D: among possible standards:

limit % blacktop, monitor outfalls to river, no warehouse buildings, max. slope, no chain link fencing along river's edge.

Mayor listed her concerns:

- more specific checks & balances for future changes to regulations
- concerned w/ blanket exemption to "Riverfront Area" regs.
- wants standards for riverfront development

Informal workshop meeting set up for Tuesday, Feb. 12 at 5:00 p.m. to discuss this further.

Tom arrived ~7:10

PUBLIC HEARINGS

Notice of Intent - Newark America, Snows Mill pond dam improvements (continued from 12-27-07)

There has been change in personnel at Tighe & Bond. Engineer who had presented plan no longer works with T & B. They asked for continuance to Feb. 26 meeting.

Hearing continued to 2-26-08.

Notice of Intent - City of Fitchburg DPW, headworks upgrade - East Wastewater Treatment Plant, Lanides Lane (continued from 12-27-07)

Denis Meunier, DPW Commissioner & Chuck Caron, wetlands consultant present.

Site visit had been held Jan 5. Commission had no further questions.

Motion made & seconded to issue Order of Conditions. Vote unanimous.

Notice of Intent - City of Fitchburg DPW, Nashua River at Fitchburg Airport - shoal removal & bank stabilization (continued from 12-27-07)

Denis Meunier, DPW Commissioner present.

A site visit had taken place Jan 5. Denis presented proposed plan and narrative of work schedule.

Tim: concerned that if emergency measures are needed, they would have to be done in a period of high water.

Denis : they are dropping shoal removal portion of work. Don't need to re-route river.

Kevin suggested special conditions:

- remove all frozen dirt (frost) -- do not use as backfill.
- start date must be in frozen conditions & finish date by March 1 (with possibility of an extension)
- submit report for next ConCom meeting.

Motion made & seconded to issue Order of Conditions with those Special Conditions:

Vote unanimous in favor.

Notice of Intent - City of Fitchburg DPW, Shea Brook - stream maintenance (continued from 11-27-07)

nothing new to report.

Hearing continued to Feb. '08.

Mike D - worth discussing a larger detention area on west side of Shea Street. May need to be partially on Oak Hill Golf Course property.

Request for Determination of Applicability, Fitchburg DPW, proposed Rt. 31 / John Fitch Hwy. / Rindge Rd. Roundabout

Denis Meunier presented plan. Part of work in Rindge Road approach to intersection is within the 100-foot buffer of the wetland on Wornham property (repair garage).

Tim: clearly is within an area of jurisdiction.

What does ConCom want to see?

Where drainage from ponding area in road end up? In Falulah Brook or brook on opposite side of intersection, parallel to Rindge Road? Any stormwater treatment?

Denis will look into sewer outfall off Rt. 12 at Erdman Way, previously discussed by Commission.

Denis also discussed Water Dept's work at Lovell Dam. He showed Commission draft plan by GZA. They're putting together plans & specs for work: \$200K+/- to repair dam, \$50K for excavation, \$75K for engineering.

Commission is OK with Emergency Certificate authorizing repair work issued before next meeting.

Discussion on Quarry Lane - DEP had issued Consent Order couple weeks ago; Commission has not yet rec'd copy. Commission agreed to send letter to DEP protesting lack of progress on enforcement.

Motion made & seconded to adjourn. Vote unanimous.

Meeting adjourned: 8:00 p.m.

Next meeting: February 26, 2008